IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT PETITION NO : 36959 of 1998

Between:

G.S.Seeta Rama Raju S/o. Krishnam Raju
R/o.No. 23-5-276, Inside Laldarwaja, Shalibanda, Hyderabad.

..... PETITIONER

AND

1 The Government of Andhra Pradesh Rep by its
Secretary, Home Department
Secretary, Hyderabad.
2 The Station House Officer, Police Station Tipparthy
Tipparthy Mandal, Nalgonda District.
3 Namma Srinu S/o. not known to the petitioner
R/o. Pajjuru, Tipparthy Mandal, Nalgonda District.
4 The Matron, Nakrekal Scheduled Castes Social Welfare

Hostel, Nakrekal, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate writ, order or direction declaring the action of the respondents in not taking necessary action against the 3rd Respondent under the provisions of Indian Penal Code and not following the procedure under the Code of Criminal Procedure for the conviction of the 3rd Respondent, as arbitrary, illegal, unjust, violative of Articles 14,15,16 and 21 of Constitution of India, contrary to the provisions of Part-IV of Constitution of India apart from being contrary to the Sec.375 I.P.C. and 376 I.P.C., and issue consequential directions to the respondents to take necessary action in this regard, and pass such other order or orders which the Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner : MR. L. RAVICHANDER (Not Present)

Counsel for the Respondent Nos. 1 and 2: GP FOR HOME

Counsel for the respondent No.3: None appeared.

Counsel for the respondent No.4: G.P. FOR SOCIAL WELFARE.

The Court made the following :

ORAL ORDER:

(per Hon'ble The Chief Justice)

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1. None appeared for the petitioner.

2. Petition was filed as public interest litigation by the General Secretary of State N.S.U.I., and also Secretary of the City Graduates Association on the basis of news item report which appeared in English daily ' Indian Express' on 04.12.1998 under the caption "Accused gets away with Rs.1,500=00 fine in rape case". The petitioner sought direction to take appropriate action regarding the offence which, according to him, was within the ambit of Sections 375 and 376 I.P.C.

3 . On 19.02.1999 affidavit in reply was filed by Sub-Inspector of Police, Tipparthy Police Station, Nalgonda District, and on the basis of the report lodged with the police, Crime No.86 of 1998 for offence under Sections 376 and 420 I.P.C., was registered and investigation was in progress. Victim girl and the accused were sent for medical examination.

4. In view of the affidavit in reply, no direction needs to be issued in this writ petition, which stands closed. No costs.

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DEVINDER GUPTA. C.J.,

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M. NARAYANA REDDY. J.,

Dated: 17.01.2005.

VRK.

To

1 The Secretary to Government, Home Department,
Secretariat, Hyderabad.
2 The Station House Officer, Police Station Tipparthy,
Tipparthy Mandal, Nalgonda District.
3 The Matron, Nakrekal Scheduled Castes Social Welfare
Hostel, Nakrekal, Nalgonda District.

4. Two CCs to G.P., for Home, High Court Buildings,
Hyderabad (OUT).

5. Two CCs to G.P., for Social Welfare, High Court Buildings, Hyderabad (OUT).

6. Two CD copies.

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE M. NARAYANA REDDY.

W.P.NO. 36959 OF 1998.

(Order of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 17.01.2005.

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